

TEXAS HISTORICAL COMMISSION

real places telling real stories

RELEASE AND WAIVER

In consideration of the Texas Historical Commission (Commission) copying, archiving and possibly publishing certain archival material listed below, _____, hereinafter described as Owner, hereby provides this **RELEASE AND WAIVER** to the Commission.

Owner freely and without promise of payment offers the archival material to the Commission for its use in documenting the history of Texas. Owner represents to the Commission that Owner has all rights of publication and title to the archival material and that the archival material is not subject to a claim of copyright protection by a third party, known or unknown.

In full consideration of the above intended use of the archival material and in full consideration of the fact that I am willingly and voluntarily offering the archival material to the Commission, and with my full understanding of all of the above, I hereby waive, release, remise and discharge the Commission and its agents, officers, principals and employees of any and all liability, claims, demands, actions or rights of action, or damages of any kind related to, arising from, or in any way connected with, my offer of the archival material, including those allegedly attributed to the negligent acts or omissions of the above mentioned parties.

This agreement shall be binding upon me, my successors, representatives, heirs, executors, assigns, or transferees. If any portion of this agreement is held invalid, I agree that the remainder of the agreement shall remain in full legal force and effect.

I understand that the offer of the archival material does not obligate the Commission to copy, archive or publish the archival material. Any further use of the archival material is strictly at the discretion of the Commission.

Owner understands that without the provision of this RELEASE AND WAIVER, Owners would not consider its option to copy, archive or publish the archival material.

Signed and dated this _____ day of _____, 2013.

AGREED:

Signature

Printed Name:

DESCRIPTION OF ARCHIVAL MATERIAL OFFERED:

